MINUTES - REGULAR MEETING
SANTA MARIA CITY COUNCIL

SANTA MARIA PUBLIC LIBRARY
SANTA MARIA, CALIFORNIA

OCTOBER 6, 2015

INVOCATION:
Pastor Rick Bloom of Pacific Christian Center gave the Invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Orach led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Patino called the meeting to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino.

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, Director of Community Development Appel, Principal Civil Engineer Beas, Deputy Director of Utilities Clarin, City Librarian Housel, Director of Public Works/City Engineer Kahn, Police Chief Martin, Fire Chief Orr, Recreation and Parks Director Posada, Deputy City Manager Stilwell, Deputy City Manager Tse, Director of Administrative Services Visé, and Chief Deputy City Clerk Garietz.

1. PROCLAMATIONS/COMMENDATIONS/PRESENTATIONS:

A. PROCLAMATION – FREEDOM FROM WORKPLACE BULLIES WEEK
Councilmember Orach presented a Proclamation recognizing the week of October 18-24, 2015 as "Freedom from Workplace Bullies Week." Carmen Salazar accepted the Proclamation.

B. PROCLAMATION – 50th ANNIVERSARY OF PACIFIC CHRISTIAN CENTER
Councilmember Waterfield presented a Proclamation recognizing the 50th Anniversary of Pacific Christian Center. Pastors Rick Bloom and Joe Hunt accepted the Proclamation.

2. PUBLIC COMMENT PERIOD
Justin Hitchcock, representing Grid Alternatives of the Central Coast, spoke about his non-profit that provides solar services in Santa Maria for low income individuals as well as hands-on job training in the solar field. He also invited everyone to an upcoming Solarthon event in Los Alamos on October 17 where his organization will be installing solar panels on several homes.

Joelyn Lutz, representing Altrusa International of the Central Coast, spoke about Charter for Compassion and their upcoming event - Make a Difference Day, scheduled for October 24, 2015, at the Santa Maria Mall.

Donna M. Patché spoke about her concern with the smell and taste of the City's water.

City Manager Haydon asked Deputy Director of Utilities Clarin to speak about the issues the City has been having with the taste and smell of the City's water the last couple of weeks.

Deputy Director Clarin explained that a recent algal bloom in the State Water Project has occurred due to the warmer than usual temperatures. The bloom is not toxic to anyone and is safe to drink despite the smell. He stated the City is working with Central Coast Water Authority to filter the water. Staff expects that as the days get shorter and cooler, the problem will resolve itself. Mr. Clarin went on to say that, during the month of November, the use of State water will be discontinued and the City will shift to groundwater for approximately thirty (30) days.

Councilmember Waterfield asked if the State has been giving updates on a regular basis. She also asked what the State would be doing to help make its water better.

Deputy Director of Utilities Clarin responded that updates are received a few times a week and that the reason the City would be disconnecting from State water was to allow the State to do their annual shut-down and maintenance.

City Manager Haydon indicated that Santa Maria is one of several cities on the Central Coast experiencing this issue.

Councilmember Orach commented that this was not the first time the problem had come up.

Deputy Director of Utilities Clarin responded that the situation has occurred before and staff determined at that time, as well, that the algal bloom was not toxic.

3. CONSENT CALENDAR:
Councilmember Waterfield recused herself from voting on Items 3D (Warrants), due to a conflict of interest.

Consent Calendar Items 3A through 3E (except Item 3D) were approved on motion by Councilmember Boysen, seconded by Councilmember Orach, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Consent Calendar Item 3D (Warrants), was approved on motion by Councilmember Boysen, seconded by Councilmember Zuniga, and carried on the following vote: 4-0-1

AYES: Councilmembers Orach, Boysen, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: Councilmember Waterfield

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Special Joint Meeting of the City Council and the Block Grants Advisory Committee of September 10, 2015, were approved as submitted.

C. MINUTES
The Minutes of the regular Meeting of the City Council of September 15, 2015, were approved as submitted.

D. WARRANTS
Warrant Nos. 195815 to 196083 totaling $2,396,802.08 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 191259, 193807, 195279, and 195710 were cancelled.

E. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

4. SERVE SANTA MARIA. Pastor Carl Nielsen of Bethel Lutheran Church gave a presentation regarding the most recent Serve Santa Maria event held on August 29, 2015. He acknowledged and thanked the staff at T.J. Maxx for their efforts in front of the parking structure next to City Hall; First Christian Church for helping prune foliage in the front yard of a private residence; St. Joseph High School students for painting a community member's fence; Grace Baptist Church for clearing away the foliage in front of a resident's window; and the City Councilmembers for their cumulative efforts throughout the day. He also thanked Santa Maria Community Television for assisting him in compiling a video of the day.

Pastor Carl continued his presentation saying that volunteers had also painted maps and dots on elementary school blacktops. Tunnell School received a power wash from volunteers along with fresh paint on its outdoor benches and a sprucing up of the garden. Serve Santa Maria volunteers also worked in Guadalupe at Kermit McKenzie Jr. High School where they weeded and planted new plants.

One new project this year was the creation of a Prayer Team, led by Councilmember Zuniga. The Team prayed for the safety and well-being of all volunteers who participate in the program.

Pastor Carl recognized the Salvation Army for their donation of 400 lunches; Pepsi Bottling Company for their donation of 500 waters, and Bedford Enterprises for donating four (4) roll-off dumpsters (all of which were full by the end of the day). He thanked the Santa Maria All-America City Committee for donating coffee and doughnuts at the beginning of the day. He also thanked the City of Santa Maria for waiving dump fees and for the use of the Abel Maldonado Center. He went on to say the Santa Maria Times, KSBY, and KCOY had been instrumental in getting the word out.

Pastor Carl explained his group is in the process of becoming a non-profit and he expressed his gratitude to the Santa Barbara Foundation for offering a matching grant of $5,000 by the end of the year. He closed his presentation with a video of the day's work and announced the next Serve Santa Maria event would be April 16, 2016.

City Manager Haydon expressed his gratitude to the group saying they were instrumental in saving the City tens of thousands of dollars and thousands of hours in labor.

5. SIGN ORDINANCE AMENDMENT. The City Council considered a recommendation of the Planning Commission to amend Santa Maria Municipal Code Chapter 12-34 relating to signage.

Community Development Director Appel gave a presentation as detailed in the Council Agenda Report. Mr. Appel explained that the primary reason for bringing the item to Council was to increase the sign area for local businesses. In 2005, the City had revised the method for calculating allowable sign area by using the width of the building instead of the width of the lot. This method reduced the size of signs allowed on properties. The Ordinance being proposed at this meeting would restore the original calculation. Local sign makers have been approached and have been supportive of the proposed amendment.

Written Communications
There was no written communications.

Public Hearing
Mayor Patino opened the public hearing at 7:25 p.m., and immediately closed the hearing having received no requests to speak.

Council Discussion
There was no Council Discussion.

Ordinance No. 2015-10 was introduced to be continued to the next meeting for second reading and adoption amending Title 12 of the Santa Maria Municipal Code regulating signs on motion by Councilmember Boysen, seconded by Councilmember Zuniga, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

6. GROWTH MITIGATION FEE PROGRAM UPDATE. The City Council considered adopting a resolution approving the Growth Mitigation Capital Improvement Plan; and introducing an Ordinance revising/setting the 2015 Growth Mitigation Fee Program.

Director of Public Works Kahn gave a presentation as detailed in the Council Agenda Report. Mr. Kahn explained that the process of updating the Program began at the beginning of the year and every Department in the City had participated. The California Mitigation Fee Act provides a method for communities to mitigate the impacts of growth. The City of Santa Maria adopted the Program in 1993. For Santa Maria, the Program has been win/win in that it gives Santa Maria an orderly way to build citywide infrastructure and gives the development community a clear way to mitigate offsite impacts of a development. The proposed fee increase for a 2,000 square foot family home is a 2.53 percent (2.53%) increase over the 2009 update.

The proposed updated Growth Mitigation Fee Program is the result of a series of workshops held in 2015 bringing together City residents, the development community, and City staff. Following adoption of the Ordinance, the new fees would take effect in 60 days. The calculation of fees would be determined upon approval of a development project. Subdivision fees would be assessed at the time of building permit issuance. Payment of fees would be due at occupancy.

Director of Public Works Kahn listed the City's Capital Improvements Program components: Consolidated Corporation Yard, City Hall, Library, Police, Fire, Traffic, Water, Wastewater, and Recreation and Parks; saying that each component is updated by working with the Department that is responsible for the services and facilities of that component. Staff increased the unbuilt projects cost for inflation by 12.11 percent based on the Engineering News Record Construction Cost Index from January 2009 to January 2015. Staff used the final cost of construction for completed projects and did not inflate those costs. Staff updated the land use data to project how many square feet of building space is available for each land use type.

There was no change to the Consolidated Corporation Yard or to City Hall. Library updates were calculated based on the final cost of construction. Since the library came in under budget, the savings produced a reduction in the Library Department fee. The new police facility update took into account the five new police vehicles and one crime scene van. Fire updates included a new ladder truck and training facility. The Traffic update included Class 1 bike paths and the fiber optic loop project. Regarding the Water and Wastewater Program, staff utilized the 2012 Utilities Capacity Study which identified build-out and capacity deficiencies within the City water and wastewater systems. The Recreation and Parks Commission update took into account requests of the Recreation and Parks Commission to remove the Santa Maria River Recreation Area Project, add a 50 acre sports complex, and reduce the cost of the Enos/Business Park Project.

A proposed change in fee calculation to the Recreation and Parks update separated the Quimby and Residential Development Tax Fees from the Growth Mitigation Program. The project list was revised showing a proportional split similar to other categories within the Growth Mitigation Program. These proportional splits identify the developer's share and funds from non-developer funds such as Federal, State, or City grants. This redefined project list resulted in a reduction of fees.

The Recreation and Parks fee for multi-family and single family is proposed to be reduced. The Towbes Group had previously requested a fee reduction for multi-family developments with amenities. Staff explored this request during the study of the Update and learned that residents of multi-family developments utilize recreational facilities at a comparable rate to those living outside the developments. A fee credit program is available to developers. He indicated that if the City were to agree to the Towbes Group's request, a reduction in fees would underfund the program. Therefore, staff does not support a fee reduction for developments with amenities.

He concluded by stating that the proposed fees for the City of Santa Maria are comparable to Growth Mitigation Fees in surrounding communities.

Written Communications
Chief Deputy City Clerk Garietz indicated that staff received two written communications from Michael Towbes of The Towbes Group, and one communication from Laurie Tamura of Urban Planning Concepts. Staff had provided the Council with copies of each of the letters.

Mr. Towbes' letters support the 2015 Update of the Growth Mitigation Fee Program, but request a modification as to how some of the fees are calculated; and request that the City adopt a reasonable park fee reduction program for onsite facilities in new multi-family projects.

Ms. Tamura's letter also supports the 2015 Update of the Growth Mitigation Fee Program; however, expresses concern that the Recreation & Parks Department did not prepare a fee reduction program for Council's consideration.

Public Hearing
Mayor Patino opened that Public Hearing at 7:37 p.m.

Laurie Tamura, representing Urban Planning Concepts (UPC), stated that UPC supports the developer fee program and appreciates the City's process in determining the fees. However, they do not agree with the Recreation and Parks Growth Mitigation fee determination. The park fee for multi-family is the only fee in the Program that is differentiated from single-family and is 30 percent higher than single-family per square foot. Ms. Tamura went on to say she did not believe the multi-family units use the parks 30 percent more than the single-family. She reiterated the staff report saying multi-family units use the parks at a comparable rate to single-family units and said that, if that is the case, the fees should be comparable. Another element she stated the group does not agree with is the calculation of fees. When the Hancock Terrace Project was brought forward, there were some areas within the multi-family component that should not have been calculated as developer fees since there was no direct impact to unit use, but rather, should have been calculated as building fees.

Michael Towbes, representing The Towbes Group, gave a short presentation of the amenities available at Towbes Group apartments saying he had a difficult time believing residents at these apartments were using public parks as much as residents who did not live in the apartments. He also reviewed the floor plan for Hancock Terrace requesting that the hallway and areas that are not habitable units be left out of the calculation of fees. Mr. Towbes expressed his concern that multi-family unit fees were higher than those for single-family units. Summarizing, Mr. Towbes stated he believed multi-family housing was being unfairly charged in three ways: 1) there was no fee reduction for extensive amenities; 2) there was a charge for spaces that are uninhabited; and 3) these units were being charged more than single-family detached housing.

Councilmember Waterfield asked Mr. Towbes if the Towbes Group had known about the way fees were calculated prior to commencing with the project.

Mr. Towbes responded that when the project began, a recommendation had been made in 2007 to lower fees where there were amenities. This hadn't been acted on because the recession hit and building of multi-family units came to a halt. The Towbes Group was the first developer to come in and start building again with the Siena Apartments project. They had been hopeful that the discussion of fee reductions would continue.

Councilmember Waterfield asked if garages were included in calculating the fees.

Director of Public Works Kahn responded that garages were not included in the fee calculations.

Mayor Patino asked if porches were included in the calculations.

Director of Public Works Kahn replied that porches were not part of the calculation.

Councilmember Boysen asked if Mr. Kahn had a response to the issues Ms. Tamura and Mr. Towbes spoke of.

Director of Public Works Kahn responded that the program is based on the amount of square footage an occupant utilizes. In a single family home, the calculation is based on a person taking up 458 square feet. In a multi-family dwelling, the calculation was based on a person taking up an average of 284 square feet. These differences are what create the 62 percent difference for single-family vs. multi-family dwellings. The assumption is that a smaller unit has a higher density.

Recreation and Parks Director Posada commented that the question of Recreation and Parks Growth Mitigation Fee calculations has come up before. He reminded everyone to take into account the fact that a single-family residence has more space (for example yards) than an apartment would have.

Hearing no other requests to speak, Mayor Patino closed the Public Hearing at 7:53 p.m.

Ex Parte Communications
Councilmember Boysen indicated that he had spoken with Mr. Towbes previously about his concerns.

Council Discussion
Councilmember Boysen asked if the City charged developer fees for parking space or garages and stairways or hallways in single-family residences. He also asked if the Towbes Group had ever received credit and, if so, what was the credit for.

Director of Public Works Kahn responded that parking spaces or garages were not charged in the fees, however stairways and hallways are charged for. He went on to say that the City had been working closely with the bicycle groups regarding pathways in Santa Maria and the Towbes Group was in the process of building a nice bike path. The fees, in this case, had been amended to allow credit reimbursing the Towbes Group for contractor costs with a cap of $260,000.

Councilmember Waterfield asked for clarification of what the City charges.

Director of Public Works Kahn responded that the City does not charge fees on a garage, but does charge fees on all other components such as hallways.

Councilmember Orach commented that a three story apartment building is basically three stories of stacked apartments resulting in a higher density of people which should justify the higher fees.

Director of Recreation & Parks Posada commented that, unlike the County, the City has a very busy recreation component taking place in its parks.

Councilmember Zuniga asked when during a project the developer gets noticed of what their fees will be.

Director of Public Works Kahn responded that a developer is notified of the fees upon approval of the project. The fee is then due upon occupancy of the facility.

Councilmember Boysen commented that he would be concerned about reducing Growth Mitigation Fees in the Recreation and Parks area.

Resolution No. 2015-87 was adopted approving the Capital Improvement Plan, on motion by Councilmember Boysen, seconded by Councilmember Orach, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2015-11 was introduced to be continued to the next meeting for second reading and adoption revising/setting the 2015 Growth Mitigation Fee Program on motion by Councilmember Boysen, seconded by Councilmember Orach, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

REPORT BY CITY MANAGER:
City Manager Haydon reported the next City Council meeting would be on October 20, 2015 and would include a number of Proclamations; two second readings of Ordinances; a couple of Consent Agenda items; two public hearings – one on freeway tower signs and one on facility reservations and program fees with the Recreation and Parks Department; and two regular business items – the commercial vehicle Ordinance and the Downtown Streetscape Plan Grant Application.

ORAL REPORTS OF COUNCILMEMBERS AND OFFICERS (INCLUDING AB1234 REPORTS):
Councilmember Zuniga reported that she spoke on the Ben Heighes radio show and met with staff regarding the Downtown Specific Plan and the Enos Ranch project.

Councilmember Waterfield reported that she attended the League of California Cities Conference.

Councilmember Orach reported that he attended a meeting regarding the Enos Ranch project; the League of California Cities Conference; and the Grapes and Grains Festival.

Councilmember Boysen reported that he participated by telephone with the Central Coast Water Authority meeting and the group is going forward with securing State Supplemental Table A water. He also reported that he has been out of town the last two weeks.

Mayor Patino reported that she attended the Santa Barbara County Association of Governments monthly Board Meeting; the Boys and Girls Club Celebrity Waiters Night Event; a Fighting Back Santa Maria Valley Board Meeting; an Air Pollution Control District Meeting; the Cruzin' for Life Car Show; Coastal Clean-Up Day; a meeting regarding the Downtown Specific Plan; a meeting with Empty Bowls coordinator, Judi Monte; the Santa Barbara County Board of Supervisors meeting; a Workforce and Literacy Initiative Semi-Annual Forum; the League of California Cities Conference; the Young Educated Latino Leaders Conference; the Grapes and Grains Festival; the Filipino American Historical Month celebration; spoke on the Ben Heighes radio show; met with the Santa Maria Valley Historical Society; attended the Minerva Club Luncheon; and a Rotary meeting.

ADJOURNMENT:
There being no further business before the City Council, Mayor Patino declared the City Council meeting adjourned at 8:09 p.m.

APPROVED:

October 20, 2015
Date

Rhonda M. Garietz
Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST:

Rhonda M. Garietz
Chief Deputy City Clerk

Alice M. Patino
Mayor of the City of Santa Maria